

## **REMARKS/ARGUMENTS**

In response to the Office Action dated September 25, 2003, Claims 1-23, and 25-39 remain in this application. Claims 1, 7, 20, 21, 23, 25-27, 29-32, 34, 35 and 39 have been amended. Claim 24 has been canceled. The specification has been amended to correct a typographical error.

Claims 7, 20, 23 and 39 were objected to.

Claims 1-22 and 27-38 were rejected under 35 USC 112, second paragraph.

Claim 23 was rejected under 35 USC 102(b).

### **Claim Objections**

Claims 7, 20, 23 and 39 are objected to because of the following informalities:

claim 7 - the term "HeH<sub>2</sub>" is a typographical error;

claim 20 - the unit of pressure recited as "mT" should be --mTorr--;

claim 23, next to last line, - "flourine" should be fluorine--;

claim 39 - "pwoer" should read --power--.

Claims 7, 20, 23 and 39 have been amended and the appropriate corrections hereby made.

### **Claim Rejections - 35 USC § 112**

Claims 1-22 and 27-38 are rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is rejected for not reciting a step in which a plasma source power is actually provided.

Applicants have amended Claim 1 to overcome the rejection by adding the limitation of supplying plasma source power.

#### **Claim Rejections - 35 USC § 102**

Claim 23 is rejected under 35 USC 102(b) as being anticipated by U.S. Patent 5,399,237 (Keswick et al.).

Claim 23 has been amended to incorporate the limitations of allowable Claim 24. *Applicants hereby cancel Claim 24.*

#### **Allowable Subject Matter**

Claims 1-22 and 27-39 were held to be allowable if rewritten to overcome the rejection under 35 USC 112, second paragraph. Claim 1 has been amended to overcome the rejection under 35 USC 112, second paragraph. Claims 2-22 and 27-39 depend from Claim 1 and therefore the amendment to Claim 1 overcomes the 112 rejection for these claims as well.

Claims 26-28 were held to be allowable if rewritten in independent form. However, Claim 1 as amended is allowable, and therefore Claims 26-28 are allowable as depending from Claim 1.

Claim 24 was held to be allowable. Claim 23 has been amended to incorporate the limitations of allowable Claim 24. This overcomes the rejection of Claim 23 under 35 USC 102. Claims 25-26 depend from Claim 23 and are therefore allowable as well.

#### **SUMMARY**

In view of the foregoing corrections and remarks, it is felt that the objections to the claims, the rejection of the claims under 35 USC 112, second paragraph, and the rejection of the

claims under 35 USC 102(b) have been overcome. Therefore, withdrawal of these rejections is respectfully requested and allowance of the application is earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is respectfully requested that the Examiner telephone Robert Wallace at (805) 644-4035 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,



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